

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

AUG 19 2015

CLERK B. West
SO. DIST. OF GA

CHRISTOPHER GREEN,)

Petitioner,)

v.)

CASE NO. CV512-124

UNITED STATES OF AMERICA,)

Respondent.)

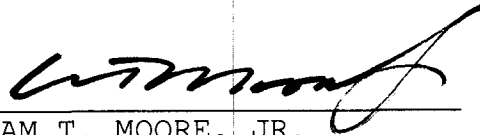
O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 25), to which objections have been filed (Doc. 26). After careful consideration, however, the Court finds Petitioner's objections to be without merit. In his objections, Petitioner offers no justifiable excuse for previously failing to mention his 1999 state petition to vacate.¹ The remainder of the arguments contained within Petitioner's objections have already been reviewed and found unavailing by this Court and by the Eleventh Circuit Court of Appeals. (Doc. 8; Doc. 16.) Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case. Petitioner's Motion for Relief (Doc. 18) is

¹ The Court agrees with both the Government and the Magistrate Judge that the emergence of this letter and its surrounding circumstances are highly questionable. However, the Court need not address the letter's veracity as it does not provide Petitioner an avenue for relief even if it is authentic.

DENIED. Petitioner's Motion for Relief due to Government's Untimely Response (Doc. 23) is **DISMISSED AS MOOT.** Furthermore, because there are no non-frivolous issues to raise on appeal such that an appeal would not be taken in good faith, Petitioner is also **DENIED** the issuance of a Certificate of Appealability and permission to proceed in forma pauperis on appeal. This case remains closed.

SO ORDERED this 19th day of August 2015.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA